

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

Plaintiff,

**STATEMENT PURSUANT TO RULE G  
OF THE SUPPLEMENTAL RULES  
FOR CERTAIN ADMIRALTY AND  
MARITIME CLAIMS**

- v -

Docket No. 09 CR 7386 (SAS)

\$22,173,000 in U.S. Currency, et al.,

**Hon. Shira A. Shindlin (J.)**

Defendants-in-rem.

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**ERICA SIMPSON-DUNN**, individually and on behalf of the Estate of Henry Dunn  
("the Estate"), hereinafter called Claimant, being duly sworn, deposes and says:

1. I submit this Statement Pursuant to Rule G of Supplemental Rules  
for Certain Admiralty and Maritime Claims on behalf of myself as the Surviving Spouse,  
Personal Representative and Beneficiary of the Estate of my late husband Henry Dunn  
("the Estate"), and on behalf of myself.

2. I have an interest in the defendant funds as the Surviving Spouse,  
Personal Representative and Beneficiary of the Estate of Henry Dunn because the Estate  
is the owner of the property that belonged to Henry Dunn before his death. In addition, I  
am individually the owner of the property the belongs to me.

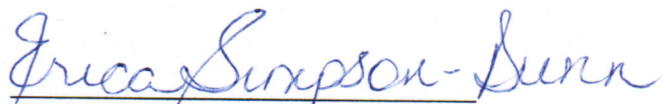
3. The aforesaid funds should be returned to Claimant because the  
funds were not and are not subject to seizure or forfeiture pursuant to 18 U.S.C. §981, 18

U.S.C. §1956, 21 U.S.C. §881(a)(6) or any other statute or regulation of the United States. There was no probable cause for the seizure of the property by the local authorities even before this case was "adopted" by the federal government. Indeed, the ensuing criminal trial resulted in an acquittal on all counts against Henry Dunn. Further, the property is not the proceeds of any illegal activity and Mr. Dunn did not use the property to facilitate any illegal activity. Further, any forfeiture would be grossly disproportionate to alleged illicit activity and would be barred under the Excessive Fines Clause of the Eighth Amendment to the Constitution.

4. This statement and claim is made in good faith and is not frivolous.

5. This statement and claim has been made within the time proscribed by law.

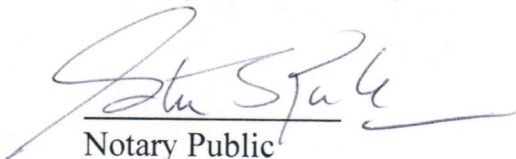
**WHEREFORE**, Claimant herein demands the immediate return of said funds and/or its release from seizure.



**ERICA SIMPSON-DUNN**

*INDIVIDUALLY AND AS SURVIVING SPOUSE,  
PERSONAL REPRESENTATIVE AND BENEFICIARY OF  
THE ESTATE OF HENRY DUNN*

Sworn to before me this  
11<sup>th</sup> day of November, 2009.

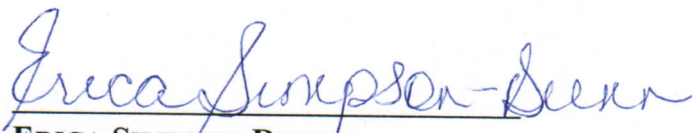
  
Notary Public

**STEVEN L. KESSLER**  
Notary Public, State of New York  
No. 03-4688840  
Qualified in Westchester County  
Commission Expires February 28, 2010

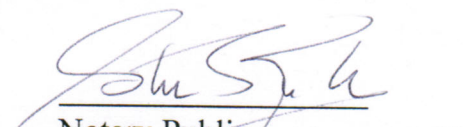
VERIFICATION

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF NEW YORK        )

I, **ERICA SIMPSON-DUNN**, declare under penalty of perjury that the statements set forth in the attached Statement are true and correct to the best of my knowledge, information and belief.

  
**ERICA SIMPSON-DUNN**

Sworn to before me this  
11<sup>th</sup> day of November, 2009.

  
Notary Public

**STEVEN L. KESSLER**  
Notary Public, State of New York  
No. 03-4688840  
Qualified in Westchester County  
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